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الإهداء

إلى من قرن الله سبحانه عبادته وطاعته بالإحسان اليهما وبرهما

إلى من رباني على حب العلم والفضيلة وأسمى القيم إلى والدي

إلى شقيقتي العزيزات..... عفاف وباسمة

إلى من تحملا من تحملا الصعاب والام الانتظار لمثل هذا اليوم

وشغلتي الدراسة عنهم

إلى زوجتي العزيزة (رنا) التي كانت مصدر تشجيع ومساندة وعون

إلى ابنائي الاحباء قصي ولؤي وزينة.

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(2) Personal Interviewing with Marilyn kidd, Legal officer, British section of the International Commission of Jurists, 24 January 2000.

Personal Interviewing with Marilyn kidd, Legal officer, British section of the International Commission of Jurists, 24 January 2000.

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1) Traditionally the purpose of arrest was to bring the suspect before a justice of the peace, so that legal proceedings could be commenced " , Alder, **constitutional And Administrative law** , OP. Cit. p 372.

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2) Cooper, **the Individual and the law** , Op. p108.)

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(Arrest without warrant)

(Arrestable offences)

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(1) The arrestable offences are offences for which the sentence is fixed by law (for example for life in the case of murder) or for which the sentence would be five years in prison or more " for more details see: card Richard , **Introduction to criminal law** , seventh Edition , Butterworth , London , 1972 , p. 33. and cooper. **The Individual and the law**, Op.Cit. p109.

(2) **police and Criminal Evidence Act 1984. S.24 (2 (**

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((section 5

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(4) Cooper. **The Individual and the law** , Op. Cit.p109

(5) **police and Criminal Evidence Act 1984. part III (Arrest Without Warrant for Arrestable and Other Offences) art. 24 (1-7)**

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(In his presence)

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.(Breach of peace)

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: ((Ole Hansen

." (2) Personal Interviewing with Mr. Garith Crossman, Advice and Information officer, the National Council for civil Liberties, London.

(3) for more details: Courtney Stanhope Kenny, **Outlines of Criminal law**, Cambridge University press, Great Britan, 1933, p p 460-464. Mccurden and Chambers, Op. Cit, p p 374-375 and Cooper, Op. Cit, p p 108-110.

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(Arrest Under Warrant :

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(Crown 1971 (13)
(Section 1) (Court Act 1971 Section 13
:(2) (Magistrates Courts Act 1952) 1952

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(2) **Crown cort** Act 1971 Sction (13) . & **Magistrates Cort Act** 1952 , Saction

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 Indictable Offences :
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(1) **Criminal law Act 1967** , Section 2. "A person may use such force as is reasonable in the circumstances in the prevention of crime, or in effecting or assisting in lawful arrest of offenders or suspected offenders or of persons unlawfully at large". The crime must be an "indictable offence" i.e. a serious offence which could be tried in a Crown Court. Another way to think of "indictable offences" is as crimes that can result in long prison sentences. (examples of indictable offences are theft, burglary and criminal damage. So, drink-driving would not qualify as it an offence which would be tried in a magistrates court and only result in a maximum sentence of six months.) you can make an arrest if: a- you see someone committing an "indictable offence" b- you are certain that someone has already committed an "indictable offence".

(2) Richard Card , **Introduction to Criminal law** , Tenth Edition , Butterworths , London , 1984, p19

(3) Section 24 of **the Criminal Justice Act 1967**

(4) L. H. Leigh, **Police Powers In England And Wales** , Butterworths, London, 1975, p64

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(3) For more details, see: Leigh, **Police Powers in England and Wales** , Op.Cit, p p 78-81

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(1) **Police and Criminal Evidence Act 1984. art 17** (2) ..(a) of executing ... awarrant of arrest issued in connection with or arising out of criminal proceedings. or awarrant of commitment issued under section 76 of the magistrates courts Act 1980.(b) of arresting aperson for an arrestable offence.(c) of arresting aperson for an offence under...(1) section 1 (prohibition of uniforms in conection with political objects) of the public order Act 1936.(2) any enactment contained in sections 6 to 8 or 10 of the criminal law Act 1977 (offences relating to entering and remaining on property) . (3) section 4 of the public order Act 1986(fear or provocation of violence) . (d) of recapturing a person who is unlawfully at large and whom he is pursuing ,or (e) of saving life or limb or preventing serious damage toproperty

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2) Mccurden and Chambers, **Individual Rights and the law in Britain**, Op. Cit, p 377.)

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(1) Police and Criminal Evidence Act 1984, art. 28

(2) It had to be made clear to the arrested person that he or she was now under restraint. Traditionally this was done by touching and the use of the words, you are under arrest, or I am arresting you. Alder, Constitutional & Administrative law, Op. Cit., p375.

(3) **Police and Criminal Evidence Act 1984**, art. 28

(4) **Police and Criminal Evidence Act 1984**, art 56 (1-11)

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(3) **Police and Criminal Evidence Act 1984.** art. 32(1,2)

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Arrested in Penal Legislation Palestinian Comparative Study

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Abstract

This thesis topic is arrested in the penal legislation of the Palestinian Magarhab, where the British took freely rights legislation barring Bhaala prejudice in certain situations, the longer the arrest of the most urgent actions that Harrihfho limits, but Yadamhavi conditions Mainhlmakan interest safeguards prevent violations of individual freedoms and regulate the border which the authorities Alaamhassistas Bahawaadm involvement in the darkness of prisons without legal basis, without reliance on the principles, norms, rules and penal legislation, which states quite frankly the inadmissibility of arrested and remanded rights. Bammernan not legally competent authorities. Hence the importance of this study. The researcher discussed paving the arrest by the conventions and international legislation (charters and declarations) and the arrest in legislation. Arabhutenaul researcher in the first quarter definition of the law enforcement and judicial duties and powers of legislation based Alvelstineutarif criminal prosecution, powers and function of the trigger punitive and functioning as the enforcement of judicial and prosecution are the powers and functions related lawsuit punitive started from the stage to accept the complaint and the evidence gathered via MOVED criminal case and conducted by the Public Prosecutor and the researcher in the second quarter what tariffs and arrested him various aspects of jurisprudence and the judiciary to give a clear picture of each corner and then viewed it as identified through the arrest coupled relationship liberties the fact that the individual arrested

symptoms, which are freedom and hence the distinction between arrest and some of the actions might like him stop and stop and physical exposure. In chapter III, a researcher with the arrest of authority law enforcement officers in the arrest and conditions of its implementation, cases and then search procedures after the arrest and then examine the elements of the crime arrests and all that through legislation compared to other legislation Palestinian, Jordanian, Egyptian and British and check these conditions and big and put it in balance with the extent of achievement of justice, fairness, freedom and human dignity. To achieve the best results, provide useful study meets the precise details must be followed researcher tried scientifically accurate and certified From this standpoint, the researcher followed the curriculum interpretative and analytical articles dealing with the Code of Criminal Procedure and Palestinian research on the topic and other punitive legislation and the gloss accurate, then followed researcher analytic method for devising what is inherent in it and then followed the comparative method by comparing the legal texts to each other and neither of them know more precisely whether the wording or meaning, which is more in line with the same researcher, and finally followed the curriculum cash to not only the interpretation, analysis and comparison, but we must all criticism a statement beauties and disadvantages and to develop appropriate texts in the run and then followed by Conclusion The research findings and recommendations.